APPENDIX

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Statistical Analysis of 143

Documented Acts of Constitutional and Statutory Violation

Eight Courts. Two States. Six Years. Thirty-Five Judicial Officers.

Prepared by: Kristina K. Talley and Kurt R. Costello
Date: October 29, 2026
139 acts were filed in connection with: Motion for Transfer Pursuant to 28 U.S.C. § 1407, Judicial Panel on Multidistrict Litigation mailed on October 26, 2026, as they relate specifically to the three cases we are asking to be reviewed in the motion.

I. SCOPE AND METHODOLOGY

This analysis documents 143 specific acts of constitutional and statutory violation committed by or on behalf of thirty-five (35) judicial officers and court officials across eight (8) courts in two (2) states over a period of six (6) years (March 2020 – October 2026). Each act is documented in the court's own docket, minute entries, orders, written confirmations, or publicly verifiable records. No act is included without a corresponding docket entry, order, or written record.

The acts involve the following parties:

- Kenneth R. Talley (age 90; indigent; documented first-to-second-grade reading and writing ability per forensic psychological evaluation, January 7, 2025, and neuropsychological evaluation, November 1, 2024)
- Janice A. Talley (deceased December 10, 2024)
- Kristina K. Talley (daughter; legally disabled with Cyclic Vomiting Syndrome, diagnosed 2017)
- Kurt R. Costello (Ken Talley's Easter Seals Elder Caregiver)

All parties are indigent and proceed *pro se*. Kenneth and Kristina were denied ADA Title II accommodations in Delaware and Pennsylvania.

II. VIOLATION FREQUENCY SUMMARY

Across all 143 documented acts, the most frequently violated provisions are:

Provision	Acts
Fourteenth Amendment, Due Process Clause	83
Delaware Code of Judicial Conduct Rule 2.11; ABA Model Code Rule 2.9(A)	23
42 U.S.C. § 12132; 28 C.F.R. § 35.130 (ADA Title II)	18

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Fed. R. Civ. P. 1	14
28 U.S.C. § 455(a)	9
Sixth Amendment	8
28 U.S.C. § 1915	7
42 Pa.C.S. § 721	6
Del. Ct. Ch. R. 80, 115, 131	6
Del. Const. Art. I, § 4 and § 9	6
25 Del. C. §§ 5701–5719	5
Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950)	4
Philadelphia Health Code § 6-809(4)	4
12 Del. C. § 3901; Del. Ct. Ch. R. 17(b)(3)	4
Pa.R.A.P. 1925; Pa.R.A.P. 3307	4
Fed. R. Civ. P. 65(a)/(b)	4
28 U.S.C. § 1291	3
11 U.S.C. § 362(a); § 362(k)(1)	3
Del. R. Civ. P. Super. Ct. 81	3
28 U.S.C. § 636(b)	2
Seventh Amendment; Fed. R. Civ. P. 38(b)	1
26 additional provisions (1 act each)	26
Total unique acts	143

III. THE 143 DOCUMENTED ACTS BY COURT

A. Delaware Court of Chancery (33 acts)

The Court of Chancery's 33 documented acts violate the following provisions:

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Eight (8) acts violate the Fourteenth Amendment Due Process Clause and the Delaware Constitution, Article I, § 4:

(1) The forced self-representation of a 90-year-old litigant with a documented first-to-second-grade reading and writing ability at a two-day trial without counsel, jury, or guardian ad litem (May 3, 2022);

(2) The denial of a continuance when Janice Talley was bedridden in a rehabilitation facility;

(3) The striking of testimony about Kenneth Talley's education level from the trial transcript;

(4) The barring of Kristina Talley from assisting in any capacity;

(5) The denial of Janice Talley's right to introduce the original deed bearing both her and Kenneth's names;

(6) The acceptance of a white-out-altered deed photocopy over the original signed real estate contract;

(7) The reopening of the case on July 20, 2026, due to "staff error" without notice to plaintiffs; and

(8) The confirmation in writing that certified mail was sent to a deceased party.

Three (3) acts violate 42 U.S.C. § 12132 and 28 C.F.R. § 35.130 (ADA Title II):

(9) The failure to provide any reasonable accommodation for the documented disability;

(10) Vice Chancellor David's on-record statement on April 24, 2024, that she believed Kenneth Talley could read and write without any evaluation; and

(11) The failure to appoint a guardian ad litem under 12 Del. C. § 3901 and Del. Ct. Ch. R. 17(b)(3).

Five (5) acts violate the Delaware Code of Judicial Conduct Rule 2.11 and ABA Model Code Rule 2.9(A):

(12) Vice Chancellor David's direction of emails to a deceased party after the Motion for Reassignment was filed;

(13) The scheduling of a hearing on the deceased party's birthday;

(14) The court staff's statement that the estate representative "had a dead mother" and it didn't matter;

(15) Vice Chancellor David's on-record "malicious" characterization without factual basis; and

(16) The ex parte communications between judicial officers.

Three (3) acts violate Del. Ct. Ch. R. 80, 115, and 131 and the Fourteenth Amendment:

(17) Three "malicious" designations over 28 months (April 25, 2024; January 15, 2025; August 4, 2026), all resting on the same April 24, 2024 oral statement, with the neurological report (November 1, 2024) and forensic evaluation (January 7, 2025) not considered in the August 4, 2026 designation.

Three (3) acts violate 28 U.S.C. § 1915 and Del. Ct. Ch. R. 80:

(18) The denial of IFP despite $13,000 annual income based on the "malicious" label rather than financial assessment;

(19) The documents demonstrating indigency sitting on a supervisor's desk until Kenneth Talley called; and

(20) The denial three days after the documents were finally docketed.

Four (4) acts violate the Fourteenth Amendment and Del. Ct. Ch. R. 5.1:

(21) The acceptance of fees without docketing documents;

(22) The issuance of handwritten receipts without case numbers;

(23) The refusal to provide stamped confirmations of filing; and

(24) The $83 filing payment with no confirmation received.

Four (4) acts violate the Fourteenth Amendment and Del. Ct. Ch. R. 5.1:

(25) The six communications sent to janiceatalley@gmail.com between October 8, 2026 and October 16, 2026;

(26) The second email sent one day after the Motion for Reassignment;

(27) The staff response to the estate representative; and

(28) The written confirmation of certified mail to the deceased's address.

Three (3) acts violate the Fourteenth Amendment, 42 U.S.C. § 12132, and Del. Ct. Ch. R. 17(b)(3):

(29) The filing of the neurological report and forensic evaluation with the Court;

(30) The failure to consider either in the August 4, 2026 designation; and

(31) The pending Motion for Appointment of Guardian Ad Litem under 12 Del. C. § 3901.

Three (3) additional acts:

(32) The denial of the interlocutory appeal filed during the May 2022 Chancery trial;

(33) The denial of the appeal of the ejectment and restoration of electrical power.

Total: 33 documented acts.

B. United States District Court, District of Delaware (37 acts)

The District Court's 37 documented acts violate the following provisions:

Eight (8) acts violate the Fourteenth Amendment Due Process Clause and Fed. R. Civ. P. 1:

(1) The 175-day silence after a fully briefed Motion to Dismiss before dismissal without a hearing;

(2) The 219-day silence after four motions before bulk denial without individual analysis;

(3) The 192-day silence after nine motions before bulk denial without individual analysis;

(4) The 411-day gap between the Third Circuit's mandate (April 18, 2025) and the first hearing (July 29, 2026);

(5) The 526 days since the mandate with no substantive adjudication on the merits;

(6) The 196 days of pending Reconsideration motions without ruling;

(7) The seven motions in 23-982 pending without ruling; and

(8) The three motions in 25-662 pending without ruling.

Three (3) acts violate Fed. R. Civ. P. 65(b), Fed. R. Civ. P. 1, and the Fourteenth Amendment:

(9) The Emergency TRO in 25-662 pending 10 days while the property is subject to a pending Motion to Cancel Lis Pendens;

(10) The Emergency TRO in 23-982 pending 9 days; and

(11) The Motion for Preliminary Injunction pending 9 days.

Three (3) acts violate the Fourteenth Amendment Equal Protection Clause and 28 U.S.C. § 1915:

(12) The same-week IFP grant for Kenneth Talley and denial for Kristina Talley in 25-662;

(13) The IFP grant in 25-732 and denial in 25-662 for the same plaintiff and income; and

(14) The one-week gap between the Bankruptcy Court's denial (September 23, 2026) and the Pennsylvania Supreme Court's grant (September 30, 2026) based on identical declarations.

Eight (8) acts violate 28 U.S.C. § 455(a), ABA Model Code Rule 2.9(A), and the Delaware Code of Judicial Conduct Rule 2.11:

(15) The screaming at pro se plaintiffs during the July 29, 2026 hearing;

(16) The striking of the Reply with Affirmative Defenses without explanation;

(17) The denial of the extension of time at the same hearing;

(18) The threatening language regarding electronic filing;

(19) The "transcript shall serve as the Court's ruling" language with no written order;

(20) The denial of the Motion for Recusal without addressing the URL-verified ex parte communication evidence;

(21) The alleged ex parte communications with Judge Glynnis D. Hill; and

(22) The alleged ex parte communications with Delaware Supreme Court Justices and Chancery officers.

Six (6) acts violate Fed. R. Civ. P. 1 and 28 U.S.C. § 636(b):

(23) The 22-day Magistrate referral placeholder in 25-662 (referred March 10, 2026; reversed April 1, 2026);

(24) The 10-motion bulk denial without individual analysis;

(25) The 5-motion bulk denial without individual analysis;

(26) The 5-line minute entry used as the court's ruling;

(27) The 88-day gap between the Amended Complaint and summons issuance; and

(28) The absence of any scheduling order, case management conference, or trial date.

One (1) act violates 28 U.S.C. § 1291 and the Fourteenth Amendment:

(29) The 526 days since the Third Circuit's remand order with no scheduling, no discovery, no trial date, and no substantive ruling.

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Four (4) acts violate 42 U.S.C. § 12132 and 28 C.F.R. § 35.130:

(30) The absence of any reasonable accommodation for the 90-year-old plaintiff;

(31) The failure to appoint a guardian ad litem or court-appointed advocate;

(32) The absence of extended time, simplified instructions, or alternative format; and

(33) The in-person July 29, 2026 hearing with no accommodation for hearing loss or cognitive impairment.

Four (4) additional acts, documented in the docket of 1:25-cv-00732-MN (Talley v. Trump), violate the following provisions:

(34) The 204-day silence after a fully briefed Motion to Dismiss (Reply filed February 10, 2026; Memorandum Order granting dismissal entered September 2, 2026) without a hearing, without individual analysis of the plaintiffs' response, and without explanation beyond a single memorandum order (D.I. 13, 17). This act violates the Fourteenth Amendment Due Process Clause and Fed. R. Civ. P. 1.

(35) The 21-day Magistrate referral placeholder in 25-732 (referred to Magistrate Judge Laura D. Hatcher March 11, 2026; referral fully reversed April 1, 2026), sharing the identical end date (April 1, 2026) as the 22-day placeholder in 25-662 (referred March 10, 2026; reversed April 1, 2026) — a simultaneous 21–22 day placeholder across both cases before the same magistrate, under the same judge (D.I. 15, and docket entry 4/1/26). This act violates Fed. R. Civ. P. 1 and 28 U.S.C. § 636(b).

(36) The Motion for Recusal (D.I. 14, filed February 17, 2026) remained pending 227 days without ruling; the case was terminated September 2, 2026 (D.I. 17) without any order addressing the recusal motion, without explaining why the motion was not reached, and without a hearing. The identical recusal motion in 25-662 (D.I. 57, filed February 17, 2026) was denied March 12, 2026 without addressing the ex parte communication evidence. This act violates 28 U.S.C. § 455(a), ABA Model Code of Judicial Conduct Rule 2.9(A), and the Delaware Code of Judicial Conduct Rule 2.11.

(37) The Jury Trial Demand (D.I. 16, filed March 12, 2026) was never independently addressed by the court. The demand was referred to Magistrate Judge Hatcher on March 12, 2026; the referral was reversed April 1, 2026; no order, minute entry, or docket entry reflects any ruling on the jury demand. The case was terminated September 2, 2026 without a jury trial, without a bench trial, and without any adjudication of the jury demand. The Seventh Amendment guarantees the right to a jury trial in § 1983 actions seeking monetary damages. *Carnell v. United States*, 538 U.S. 101, 106–07 (2003). A timely demand under Fed. R. Civ. P. 38(b)(1) preserves that right. The court's failure to address

the demand before terminating the case constitutes a denial of the Seventh Amendment right and of the Delaware Constitution, Article I, § 4.

Total: 37 documented acts.

C. Pennsylvania State Courts (33 acts)

The Pennsylvania state courts' 33 documented acts violate the following provisions:

Six (6) acts violate the Fourteenth Amendment and Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950):

(1) The Municipal Court's grant of possession on June 2, 2026, notwithstanding the FHC statutory bar;

(2) The fictitious service of process in which a neighbor called herself "Francine";

(3) The tenants' exclusion from the hearing where possession was granted;

(4) The exclusion of all tenant evidence at the June 1–2, 2026 jury trial;

(5) Judge Hill's characterization of the lead evidence as "not legit"; and

(6) The 15 off-record sidebars during trial.

Nine (9) acts violate 42 U.S.C. § 12132 and 28 C.F.R. § 35.130:

(7) The denial of the supersedeas bond;

(8) The denial of the motion to reinstate the supersedeas bond;

(9) The denial of the motion to suspend rent collection;

(10) The absence of any accommodation at the jury trial;

(11) The absence of accommodation during the sidebars;

(12) The absence of accommodation when physical removal was threatened;

(13) The denial of the ADA Accommodation Grievance;

(14) The pending Appeal of the ADA Grievance Determination; and

(15) The failure to consider the CVS diagnosis and the documented lead paint hazard as factors requiring accommodation.

Six (6) acts violate 42 Pa.C.S. § 721 and ABA Model Code Rule 2.9(A):

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(16) Judge Roberts' treatment of the Petition for Reassignment as a motion with a "fake name";

(17) The ex parte call from Lynda Powell to Judge Roberts on the day of the escrow release;

(18) The cross-state ex parte communications between Judge Hill and Judge Robinson;

(19) The disappearance of documents sent to President Judge Padilla;

(20) Judge Hill's threat of physical removal; and

(21) The appearance of a former law clerk for the City.

One (1) act violates the Fourteenth Amendment and Mullane, 339 U.S. 306:

(22) The fictitious service of process.

Two (2) acts violate 11 U.S.C. § 362(a) and § 362(k)(1):

(23) The $28,800 release to Law Associates, Inc. on August 25, 2026; and

(24) The subsequent denial of the Motion for Declaration of Automatic Stay Violation.

Five (5) acts violate Pa.R.A.P. 1925 and 42 Pa.C.S. § 721:

(25) The Superior Court's finding that the 1925(b) order was procedurally defective;

(26) The denial of the Petition for Reassignment;

(27) The denial of the Motion for Reconsideration;

(28) The disappearance of documents from the court's record; and

(29) The pending Petition for Writ of Prohibition.

Four (4) acts violate Philadelphia Health Code § 6-809(4) and the Fourteenth Amendment:

(30) The FHC's finding of no valid rental license and no valid lead-safe certificate;

(31) The Municipal Court's grant of possession notwithstanding that bar;

(32) The Court of Common Pleas' exclusion of all evidence supporting the FHC finding; and

(33) The Superior Court's failure to rule on whether the grant of possession constitutes reversible error.

Total: 33 documented acts.

D. Delaware Supreme Court (7 acts)

Four (4) acts violate the Fourteenth Amendment and the Delaware Constitution, Article I, § 4:

(1) The denial of the interlocutory appeal filed during the May 2022 Chancery trial when Kenneth Talley told the Court he could not represent himself;

(2) The denial of the appeal of the ejectment and restoration of electrical power, which affirmed the Chancery finding and the Superior Court's ejectment order without addressing the due process violations documented at trial;

(3) The denial of reargument; and

(4) The denial of the interlocutory appeal with reconsideration denied.

Three (3) acts violate the Delaware Code of Judicial Conduct Rule 2.11 and ABA Model Code Rule 2.9(A):

(5) The alleged ex parte communications between Supreme Court Justices and the judicial officers named in the plaintiffs' federal actions;

(6) The alleged personal and professional relationships between the Justices and the state judicial officers, specifically Mark H. Conner; and

(7) The Court's placement of the Court of Chancery's internal rules above the plaintiffs' constitutional right to due process, in violation of the Supremacy Clause, Article VI, clause 2.

Total: 7 documented acts.

E. Delaware Superior Court (9 acts)

Four (4) acts violate the Fourteenth Amendment and Delaware Constitution, Article I, § 4:

(1) Judge Conner's grant of ejectment by force without a trial in violation of Del. R. Civ. P. Super. Ct. 81;

(2) Judge Conner's denial of the request for continuance and denial of Janice Talley's request for joiner;

(3) Judge Cline's denial of Kenneth Talley's request for guardianship and denial of a jury trial after specifically stating during the hearing that the land lease tenants had valid non-renewable lease agreements; and

(4) The execution of the ejectment by at least ten police officers, resulting in the physical removal of Janice Talley and the arrest of Kristina Talley, in violation of the Fourth Amendment.

Three (3) acts violate the Delaware Code of Judicial Conduct Rule 2.11 and ABA Model Code Rule 2.9(A):

(5) Judge Conner's false accusations against Kristina Talley and his return of the $200 filing fee;

(6) Judge Robinson's admission on the record that Kenneth Talley had viable claims followed by dismissal without allowing a Delaware-only claim for approximately $167,000; and

(7) The alleged ex parte communications between Judge Robinson and judicial officers in Delaware and Pennsylvania.

Two (2) acts violate Title 10, Chapter 67 of the Delaware Code (§ 6701) and Del. R. Civ. P. Super. Ct. 81:

(8) The grant of ejectment by force without the trial required by Rule 81; and

(9) The failure to adjudicate Kenneth Talley's claim for approximately $377,000, in violation of the Delaware Constitution, Article I, § 9.

Total: 9 documented acts.

F. Delaware Justice of the Peace Courts (11 acts)

Four (4) acts violate the Fourteenth Amendment and Mullane, 339 U.S. 306:

(1) The entry of a default judgment where the lawsuit was never mailed or served;

(2) The entry of an eviction judgment against "Ashley Moore," a non-party who had not occupied the property in ten years, in violation of 25 Del. C. §§ 5704, 5705, and 5707;

(3) The denial of summary possession after Judicial Officer Wood stated "it's not my problem"; and

(4) The denial of IFP despite documented indigency.

Three (3) acts violate the Delaware Code of Judicial Conduct Rule 2.11:

(5) Judicial Officer Clark serving simultaneously as the judicial officer presiding over the eviction and the landlord seeking possession;

(6) Judicial Officer Crowley's initiation of the unlawful eviction against "Ashley Moore"; and

(7) Judicial Officer Wood's statement on the record that "the use of AI is restricted" in response to internet research.

Three (3) acts violate Title 25, §§ 5701–5719 (Delaware Landlord-Tenant Code) and the Fourteenth Amendment:

(8) The dismissal of three separate requests to restore electrical service during winter, forcing Kenneth Talley to operate a generator 24/7 for seven months at a cost of approximately $47,000;

(9) The failure to serve the complaint on the homeowners in violation of § 5704; and

(10) The failure to file proper notice in violation of § 5705.

One (1) act violates the Fourteenth Amendment and 10 Del. C. § 4610:

(11) Judicial Officer Danberg's five-month delay in ruling, followed by dismissal and mailing of the decision after the appeal period had expired.

Total: 11 documented acts.

G. Delaware Family Court (5 acts)

Four (4) acts violate the Fourteenth Amendment and the Sixth Amendment right to present witnesses:

(1) The dismissal of all four Protection from Abuse actions on the ground that Kenneth Talley "did not have a witness," after the judicial officer specifically barred Kristina Talley from the courtroom because she was supposed to be a witness, and then never permitted Kenneth Talley to call her, in each of the four cases.

One (1) act violates the Delaware Code of Judicial Conduct Rule 2.11 and the Fourteenth Amendment:

(5) The judicial officer's failure to respond in writing to Kenneth Talley's requests and the court's subsequent statement that it was the tenants' fault for not obtaining information from the court.

Total: 5 documented acts.

H. Delaware Court of Common Pleas (8 acts)

Three (3) acts violate the Fourteenth Amendment and the Sixth Amendment right to a jury trial:

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(1) The filing of criminal trespass charges against Kristina Talley on the day of the October 3, 2023 ejectment, after she requested a trial and was told no, followed by the State's dismissal on August 21, 2024;

(2) The filing of criminal trespass charges against Kenneth Talley after the Delaware State Police said they would help him retrieve his medication, then refused, then arrested him, after he requested a trial and was told no, followed by the State's dismissal on January 11, 2024; and

(3) The filing of criminal charges against Kristina Talley on the day of the August 26, 2025 eviction, after she requested a trial by jury and was told no, followed by dismissal nolle pros.

Two (2) acts violate the Delaware Code of Judicial Conduct Rule 2.11(A)(1) and the Fourteenth Amendment:

(4) Judicial Officer Clark serving simultaneously as the criminal judge and the landlord, with his photograph hanging on the wall in the Court of Common Pleas and the court's statement that there was no conflict of interest; and

(5) The filing of a fictitious report by the Delaware State Police stating that Kristina Talley did not have a valid driver's license, in violation of 18 U.S.C. § 1001, resulting in the impoundment of her vehicle at approximately 1:00 AM in violation of the Fourth Amendment.

Two (2) acts violate the Sixth Amendment and the Fourteenth Amendment:

(6) The State's failure to permit a trial in either criminal trespass case despite the defendants' requests; and

(7) The State's failure to sustain the charges, resulting in dismissal after the evictions were complete.

One (1) act violates the Fourteenth Amendment and 10 Del. C. § 4610:

(8) Judicial Officer Danberg's five-month delay and mailing of the decision after the appeal period had expired.

Total: 8 documented acts.

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Statistical Analysis of 143

Documented Acts of Constitutional and Statutory Violation

IV. SUMMARY TABLE

Court	Acts
Delaware Court of Chancery	33
U.S. District Court, District of Delaware	37
Pennsylvania State Courts (Phila. FHC, Mun., C.P., Superior)	33
Delaware Supreme Court	7
Delaware Superior Court	9
Delaware Justice of the Peace Courts	11
Delaware Family Court	5
Delaware Court of Common Pleas	8
Total	143

V. VERIFICATION

Each act identified in this analysis is documented in the court's own docket, minute entries, orders, written confirmations, or publicly verifiable records. The corresponding case numbers, docket entries, and dates are set forth in the Statement of Related Cases (Appendix C to the Petition for En Banc Review for Writ of Mandamus to Compel Recusal, Third Circuit, No. 26-1847).

The docket entries for 1:25-cv-00732-MN (D.I. 1–24) were retrieved from the PACER Service Center on October 25, 2026 at 19:05:43. These entries constitute the verification anchor for acts 34–37 of Section III.B. The 139-act version remains intact for our USJPML MDL motion. This 143-act version is new matter for the mandamus 26-5647 record, and No. 26-5793 record.

This analysis is submitted for the purpose of demonstrating the pattern and scope of the 143 documented acts of constitutional and statutory violation. It is not a claim. It is the record.

Respectfully submitted,

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Appendix B
Three-Instance Eviction Pattern Identical Mechanism Across Two States

Appendix B

Three-Instance Eviction Pattern
Identical Mechanism Across Two States

The filing of criminal charges to enforce a civil ejectment, without a trial, followed by dismissal after the eviction is complete, is a deprivation of liberty under color of state law, actionable under 42 U.S.C. § 1983.

INSTANCE 1 — October 3, 2023 — 28289 Broadkill Road, Milton, Delaware

Step	Detail
1. Fabricated legal justification	Ejectment granted without trial in violation of Del. R. Civ. P. Super. Ct. 81. No valid court order for removal existed. The Court of Chancery opinion was not an eviction or ejectment order.
2. State power used to remove	Delaware State Police + Delaware Sheriff. Darren Horn, Sr. arrived with at least ten (10) police officers.
3. Physical removal	Sheriff physically removed Janice Talley. Kenneth Talley left on his own. Kristina Talley arrested for criminal trespass by Delaware State Police.
4. Criminal charge	Delaware v. Kristina K. Talley, No. 2310001141, Del. Court of Common Pleas. Filed 10/3/23.
5. Trial requested	Yes. Kristina Talley requested a trial. No trial was permitted.
6. Charges outcome	Dropped by the State of Delaware on 8/21/24.
7. Property/access removed	Two vehicles unlawfully impounded. Towing and fees: $800. Janice physically removed by Sheriff.
8. Who benefited	Judith C. Horn — benefited from altering the original 1989 deed (typed) using white-out and a photocopy. The altered deed was accepted by the Court of Chancery at trial.
9. Judicial officer	Judge Mark H. Conner, Del. Superior Court (ejectment order). Personal relationship with Kenneth S. Clark, Jr. and Patricia W. Griffin.
10. Post-eviction conduct	Electric service denied for elderly during winter (3 separate JP Court actions, all dismissed). Ken forced to use generator for 7 months. Gasoline cost: approximately $47,000.

Appendix B

Three-Instance Eviction Pattern
Identical Mechanism Across Two States

INSTANCE 2 — August 26, 2025 — 28470 Pocahontas Avenue, Millsboro, Delaware

Step	Detail
1. Fabricated legal justification	Fictitious eviction case filed against "Ashley Moore" — a person who had not occupied the property in ten years. The case was used to evict Kenneth Talley, Kristina Talley, and Kurt Costello, none of whom were named parties.
2. State power used to remove	Delaware State Police + Judicial Officer/Landlord Kenneth S. Clark, Jr. (who was simultaneously the judge presiding over the eviction and the landlord seeking possession).
3. Physical removal	Kenneth Talley, Kristina Talley, and Kurt Costello ejected by police. Kristina Talley arrested for criminal trespass by Delaware State Police.
4. Criminal charge	State of Delaware v. Kristina K. Talley, No. 2508014546, Del. Court of Common Pleas. Filed 8/26/25.
5. Trial requested	Yes. Kristina Talley requested a trial by jury. No trial was permitted.
6. Charges outcome	Dismissed nolle pros.
7. Property/access removed	Vehicle impounded. Fabricated violation. Towing and fees: $500. Property left to deteriorate over winter by the judge/landlord.
8. Who benefited	Kenneth S. Clark, Jr. (judge + landlord) — benefited by unlawful eviction/ejectment via police of Kenneth, Kristina, and Kurt. When conflicts of interest were identified, the state court(s) stated there was no conflict.
9. Judicial officer	Kenneth S. Clark, Jr. (JP Court 17 / CCP Judge / Landlord). Judicial Officer Bethany Crowley initiated the eviction. Judicial Officers William P. Wood and Robert H. Robinson stated "it's not my problem", after questions related to due process. Judicial Officer Carl Danberg waited 5 months, then erroneously dismissed the appeal to help Judicial Officer Kenneth S. Clark with regard to *Clark v. Talley*, C.A. No. S25C-02-029-RHR (Del. Super. Ct. filed Mar. 11, 2025) (removed to D. Del. July 17, 2026; trial May 2027)
10. Post-eviction conduct	Mr. Talley is forced to contest the unlawful eviction and recover possession after Judicial Officer Kenneth S. Clark, Jr. allowed Ken's property to be damaged in the winter months after taking possession. Kristina was arrested a second time for criminal trespass. All charges later dropped by the State.

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Three-Instance Eviction Pattern
Identical Mechanism Across Two States

INSTANCE 3 — October 20–23, 2026 — 2353 East Cumberland Street, Philadelphia, Pennsylvania

Step	Detail
1. Fabricated legal justification	No valid Alias Writ of Possession produced. No advance service of court documents. The automatic stay under 11 U.S.C. § 362(a) was in effect (bankruptcy filed 8/21/26). The Philadelphia Fair Housing Commission had denied the eviction on 5/7/24 on the ground that the landlords held no valid rental license (2012–2024) and no valid lead-safe certificate, in violation of Philadelphia Health Code § 6-809(4). The Municipal Court judgment was not final because the appeal is pending.
2. State power used to remove	Philadelphia Sheriff's Office + Philadelphia Police Department.
3. Physical removal	Kristina Talley and Kurt Costello evicted. Kristina Talley arrested after police officers refused to provide a physical copy of the "writ of possession" being executed. Police threatened to have Kenneth Talley (age 90) taken away.
4. Criminal charge	Pending (Philadelphia).
5. Trial requested	yes
6. Charges outcome	Pending.
7. Property/access removed	3,794 items seized by moving company (Joseph P. Riley and Sons Moving Company Inc.) at the direction of the landlords. Kristina's CVS prescription medication (cyclic vomiting syndrome) inaccessible. Vehicle impounded 10/23/26 (3 days later) on fabricated parking violation. PPA tow operator unlocked all doors of the locked vehicle, entered the interior, removed the handicap placard, wrapped the seatbelt around the steering wheel, and removed the original stamped court documents filed with the U.S. District Court at 3:45 PM that same day. Towing and fees: $476.
8. Who benefited	Michael Mullan and Marsha Mullan (landlords) — benefited by unlawful eviction/ejectment via police of Kristina and Kurt. $28,800 in escrow funds released to Law Associates, Inc. on 8/26/26 in violation of the federal automatic stay.
9. Judicial officer	Judge Joshua Roberts, Phila. CCP (treated petition as motion; gave document "fake name"; ex parte call from Lynda Powell, Esq., on 8/25/26 — same day as $28,800 escrow release). Judge Glynnis D. Hill, Phila. CCP (excluded all tenant evidence at 6/1–2/26 jury trial; denied ADA accommodations; denied motion to reinstate supersedeas bond). Ex parte communications with Judge Robert H. Robinson, Jr. (Del. Superior Court).
10. Post-eviction conduct	Moving company denying access to Ken's COPD and Kristina's CVS medications. All Federal Bankruptcy court documents were seized, they refuse all access. Original stamped court documents (only stamped copies) part of the § 1983 complaint filed 10/23/26). Stamped court documents were removed from vehicle by PPA tow operator with no legal authority.

Appendix B

Three-Instance Eviction Pattern
Identical Mechanism Across Two States

COMPARATIVE SUMMARY — THE IDENTICAL MECHANISM

Step	Instance 1 (10/3/23, DE)	Instance 2 (8/26/25, DE)	Instance 3 (10/20/26, PA)
1. Legal justification	Ejectment without trial (Rule 81 violation)	Fictitious case against non-party; judge = landlord	No valid writ; stay in effect; FHC bar ignored
2. State power	Del. State Police + Sheriff (10+ officers)	Del. State Police + Judge/Landlord	Phila. Sheriff's Office + Phila. PD
3. Physical removal	Janice removed; Ken left; Kristina arrested	Ken, Kristina, Kurt ejected; Kristina arrested	Kristina and Kurt evicted; Kristina arrested
4. Criminal charge	No. 2310001141	No. 2508014546	Pending
5. Trial requested	Yes — refused	Yes — refused	N/A
6. Charges outcome	Dropped (8/21/24)	Dismissed nolle pros	Pending
7. Property removed	2 vehicles impounded; $800 fees	1 vehicle impounded; $500 fees	3,794 items seized; 1 vehicle impounded; $476 fees; court documents stolen
8. Private party benefited	Judith Horn (altered deed)	Kenneth S. Clark (judge + landlord)	Michael and Marsha Mullan ($28,800 escrow)
9. Judicial officer(s)	Mark H. Conner	Kenneth S. Clark; Bethany Crowley; William P. Wood; Carl Danberg	Joshua Roberts; Glynnis D. Hill; Christopher Hall
10. Post-eviction	Electric denied; 7-month generator; $47,000 gas	Property damaged over winter	Medications inaccessible; documents stolen; 30-day clock

Appendix B

Three-Instance Eviction Pattern
Identical Mechanism Across Two States

THE PATTERN

In all three instances, the mechanism is identical:

1. A private party initiates a possession action using a fabricated or invalid legal justification.
2. State law enforcement is used to physically remove the tenants.
3. The tenants are arrested for criminal trespass for resisting the removal.
4. The tenants request a trial. No trial is permitted.
5. The criminal charges are dropped or dismissed after the eviction is complete.
6. The private party who initiated the action benefits from the state's enforcement.
7. The tenants' property, vehicles, and access to the dwelling are removed or restricted.

The dropped charges in Delaware not acquittals. *They are admissions that the underlying actions were unlawful.* The State of Delaware dropped all charges in No. 2310001141 on 8/21/24 and dismissed No. 2508014546 *nolle pros* in both cases after the petitioner requested a trial and was denied. The State of Delaware did not try the cases because it could not sustain them.

The same mechanism was used on October 20–23, 2026, in Philadelphia, trial pending.

The pattern is not speculative. It is in the docket. It is in the police reports. It is in the court records. It is documented.

Prepared by Plaintiffs. All dates and docket numbers verified against public court records. PACER docket reports for 1:23-cv-00982-MN and 1:25-cv-00662-MN pulled 10/25/26.

Appendix C
Statements Of Petitioners

Appendix C
Statement Of Petitioner Kenneth R. Talley

My name is Kenneth R. Talley. I am 90 years old. I was a farmer. I still am, in my mind. I know when the soil is ready. I know when the tide is turning. I learned that from my mother, before she died. I was 12. I did her work on the farm after that. I never finished school. I went to the sixth grade. That's all I could do. My father needed me after she died.

Bonnie said I could read and write just fine. I can't read and write like a lawyer. Two doctors said so. They put it in writing. They gave their names. They gave the dates. I don't know how she saw that. I don't know how anyone sees that. But she said it. And that's what they went with in the court. I make 13,994 a year. The rule says if you make less than a certain amount, they have to give you the fee waiver. The word is "shall." Not "may." "Shall." They said no. Three times or four times.

They took my house and land in Milton. No trial in chancery then that court cannot take my land. I demand a trial. It is my right to a jury trial over the land. Instead they keep throwing us out. Four times. In six years. In two states. Judy had me arrested. I don't know why they did that. I was just trying to get my medication. I could not get it refilled. They took my medication on the 20th and they are refusing to let me get it. I can't get it refilled. I want a trial so this can stop.

My wife Janice died in December. Last year. I gave them the paper that says she's gone. It's in the file. I watched them put it in the file, and then in October, this year, Kurt told me they sent her six emails and a letter by certified mail. To her. And they set the hearing for her birthday. November 16th. I don't know why they did that. They knew. Bonnie did it to hurt us.

My daughter took my name and Janice's name off the deed. She used white-out. She copied it at work. She brought the copy to court but the original was made on a typewriter. The real deed with our names is with the courts. I have a contract signed at the notary. It has all four signatures. It has a raised seal. It has Judy's initials next to the last payment date. The court took the copy. They didn't take the real contract with the seal.

When the house was purchased for 36,000, Judy owed me $29,798. We paid $47,250 for the house. We paid it off in February of 1993. I have original receipts. I have the original signed contract. After that, I paid another $330,568 to Judy because I went to every state where she lived and worked, so the judge said it was work in more than one state so I went to the federal court, it has been more than 1,100 days of waiting for a trial. I built two staircases in New Hampshire for Judy and did a whole lot more work for her Delaware, South Carolina, New Jersy, and New Hampshire. I did everything Judy asked, she never paid me, then Judy took my house, she can't have both. She took our names off the deed. If Judy owned the house why did I have to put a roof on the house twice in 30 years and Judy was not there. Judy did not help with the roof. I paid for it myself. I did all the work to replace the roof. The work was not free. Janice and I counted all the hours. I make four lines, then one across. Five hours at a time, I counted. Janice helped me keep track. The wood with my hours is in the court now. They have it.

We have been here a long time. My family built the churches and the schools and towns that have our name, yet I'm in a courtroom for 1,638 days and called bad for asking for my rights. I am not bad just for asking.

I am asking for the house back now. I should have had a trial before the police came. I'm asking for the due process, it is the one the rule I get. And the one other word I get is the when it says I "shall" get help. Olga filed in the chancery court without us knowing, she never even asked us what we wanted, she just did what she wanted. That is not how it works.

I've been saying this for 1638 days. I'm tired, but I am never giving up my rights. I'll stop when I'm resting safe in my home at 28289 Broadkill Road, Milton, Delaware. Not before. Kurt Costello helped me write this statement.

— Kenneth R. Talley
November 14, 1936
Brandywine Hundred, Delaware

Appendix C
Statement Of Petitioner Kenneth R. Talley

DECLARATION

I, Kenneth R. Talley, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in the above-captioned matter. I have personal knowledge of the facts stated in this Supplemental Brief. The facts set forth herein are true and correct to the best of my knowledge, information, and belief. The Supreme Court has the authority to: (1) grant certiorari and review the Chancery judgment under 28 U.S.C. § 1257 and the District Court's refusal to recuse under 28 U.S.C. § 1254(1); (2) declare the Chancery judgment void *ab initio* under the Fourteenth Amendment where the court's own mandatory rule, Del. Ct. Ch. R. 17(b)(3), required the appointment of a guardian ad litem; (3) issue a writ of mandamus under 28 U.S.C. § 1651 to compel the recusal of Judge Noreika or to compel the Chancery to appoint a guardian ad litem; (4) issue a stay under Rule 10 to prevent the execution of the void judgment or the cancellation of the lis pendens while the petition is pending; (5) vacate and remand under 28 U.S.C. § 2103 with instructions to appoint a guardian ad litem, provide ADA accommodations under 42 U.S.C. § 12131, and re-try the case before a different judge; and (6) refer evidence of criminal conduct to the U.S. Attorney under 18 U.S.C. §§ 242 and 1519. The Court's authority is plenary over the questions presented. The state court's judgment is not beyond the Court's review. The federal court's refusal to recuse is not beyond the Court's mandamus power. This declaration is submitted in lieu of a notarized affidavit.

By: Kenneth R Talley

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Appendix C
Statement Of Petitioner Kurt R. Costello

My name is Kurt R. Costello. I am Ken's elder care giver.

I work a 3 to 11 shift. Yet in the morning at 8, I'm the one driving, taking Ken somewhere. A doctor's appointment. A court hearing. The post office. The library. Wherever it is. I come off a shift at 11. I get home. I sleep a few hours. I get up at 5:30. I make coffee. We leave at 7:15. We're there at 8. Ken starts early.

I've been doing that for six years.

Ken can't read the documents. I know that. Two doctors said so. I don't need them to tell me. I've been watching him for 23 years. I know what he can do and what he can't. So I read them to him. Every single one. Out loud. Every word. The rulings. The orders. The notices. The sanctions. The IFP denials. I read them all. And then I sit there and wait for him to tell me what he wants to do. And most days he says the same thing. File it. Say the number again.

I go with him to file. I stand in the line at the post office. I pay for the postage. I buy the printer ink. I buy the paper. I buy the envelopes and the tape. I pay for everything I can to help Ken. It's a lot of money. It's more than a few dollars a week. And it's every week. For six years.

I don't do it because I think it's noble. I do it because Ken is my friend. And because Kristina is my partner. And because if I don't show up at 5:30 in the morning, who does? No one else is going to besides Kristina and myself. I've watched. No one else shows up.

They just keep evicting and ejecting us over and over with no jury trial. Four times. In Philadelphia, they just arrested Kristina, put her in the back of a car. I was there. I was told we could not have a copy of the writ. No notice of eviction. I was the one they had to talk to after they arrested Kristina and they still refused to give me any paperwork at the time of the eviction. I was the one who said: you can't do this. And they did it anyway.

Janice died in December. I was there. I held her hand. I didn't say anything. There wasn't anything to say. And then in October, the court sent Janice six emails. I read them. All six. Ken doesn't use email. Ken is upset but he didn't say anything. And I didn't say anything. And we just sat there.

They sent a certified letter to Janice. To a dead woman. On her birthday. When I read that email, everyone was upset. We don't even know what address the court is using to send certified mail to Janice.

Appendix C
Statement Of Petitioner Kurt R. Costello

I'm asking the court to look at the rules and the facts and the gaps in between them. And to not look away.

Ken kept track of the work he did for his daughter by making marks on a small piece of wood to count the number of hours he worked. Ken has a lot of pieces of wood with "tally marks" that show all the work he did for Judith. I helped Ken count the tally marks and bring it for the judge to see. It's not heavy. It's a small piece of wood. But it's the heaviest thing I've ever carried. Because every mark on it is an hour he worked. And Ken counted every hour. And Janice had diaries and books where she helped him count the hours and the materials and the work. And they paid $377,853 for a house that cost $47,250. And the piece of wood with the tally marks is in the file now. The Delaware Superior Court Mechanic's Lein file has record of how Ken kept track of his work, the state has this evidence.

I'm not a lawyer. I'm not a doctor. I'm not a judge. I work a 3 to 11 shift. I come home. I sleep. I get up. I make coffee. I take care of Ken.

I've been doing that for 1638 days.

I know it matters. I know if anyone's watching. I don't know if the loop closes or if it doesn't. I know Ken gets his house back. I don't know if the process comes or if it doesn't.

I also know this: I'm showing up. Every morning. At 5:30. I'm writing and reading the documents. I'm going to keep buying the postage and the printer ink. As Ken's Easter Seals Elder Care Giver, I am sitting in the driver's seat taking him wherever he needs to go. Ken is the one who says: we're going. And we go to the store or we work on Ken's tractor, or whatever else he likes to do. I take Ken bowling every Thursday so he can see his family. I'll keep doing it. Every morning. At 5:30. Until Ken's resting safe in Milton.

That's my voice. Not dramatic. Not legal. I am just a man who gets up at 5:30 and shows up. Every day. For six years. What has been done to Ken is wrong and we are not able to accept the deprivation of rights against those individuals within our society who may not have the ability to speak for themselves without assistance, that's what friends do.

Respectfully submitted,

Kurt R. Costello
On behalf of Kenneth R. Talley, Petitioner

Appendix C
Statement Of Petitioner Kurt R. Costello

DECLARATION

I, Kurt R. Costello, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in the related-captioned matter No. 26-5647. I have personal knowledge of the facts stated in this Supplemental Brief. The facts set forth herein are true and correct to the best of my knowledge, information, and belief. The Supreme Court has the authority to: (1) grant certiorari and review the Chancery judgment under 28 U.S.C. § 1257 and the District Court's refusal to recuse under 28 U.S.C. § 1254(1); (2) declare the Chancery judgment void *ab initio* under the Fourteenth Amendment where the court's own mandatory rule, Del. Ct. Ch. R. 17(b)(3), required the appointment of a guardian ad litem; (3) issue a writ of mandamus under 28 U.S.C. § 1651 to compel the recusal of Judge Noreika or to compel the Chancery to appoint a guardian ad litem; (4) issue a stay under Rule 10 to prevent the execution of the void judgment or the cancellation of the lis pendens while the petition is pending; (5) vacate and remand under 28 U.S.C. § 2103 with instructions to appoint a guardian ad litem, provide ADA accommodations under 42 U.S.C. § 12131, and re-try the case before a different judge; and (6) refer evidence of criminal conduct to the U.S. Attorney under 18 U.S.C. §§ 242 and 1519. The Court's authority is plenary over the questions presented. The state court's judgment is not beyond the Court's review. The federal court's refusal to recuse is not beyond the Court's mandamus power. This declaration is submitted in lieu of a notarized affidavit.

By: Kurt Costello

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Appendix C
Statement Of Petitioner Kristina Karen Talley

I, Kristina Karen Talley, do not think about the law the way most people do. Most people learn about the law from the top down — a government makes rules, a judge enforces them, and you comply or you don't. That's the only direction most people have ever seen it go.

I learned law the other way first. Our family has been on this land since 1686, I am 11th generation. We have books that go back further than that. In those books, the law isn't something that's handed down. It's something that's found — in the customs of the people, in the agreements between neighbors, in the specific act that ends disputes and lets both sides go home. The person who knows the law doesn't own it. They carry it. They're a custodian. And the law itself belongs to no one. It belongs to everyone.

I didn't study. I grew up this way. The way my father knows exactly which crop is planted in every field. It's not something I can point to and say 'here's where I learned it.' It's just how I was born to see the structure of law. The way a person takes care of their parents tells you everything about them.

When I walk into a courtroom and the judge acts like the law belongs to them, as if they are source of all law, as if I have to earn access to my own rights, I can feel the shape of what's supposed to be there, and I can see that it isn't operating that way. That's not a political position or a movement. That's what it feels like to be handed a mirror that's been flipped and told it's a window.

Talley means 'peaceable.' Not passive. The one who makes the peace. The one who walks into the room where two sides are in an endless loop and finds the approach that ends it. That's what the law was supposed to do. Execute due process. Close the loop. Let everyone go home.

I'm not arguing law from a book. I'm not just citing a precedent. I'm describing how Talleys actually see and interpret the law, and I've seen law this way my whole life, because that's the family I was raised in. When the world in front of us doesn't match the world we were raised in, we don't pretend it does. I am saying: this is what due process is supposed to look like, and six years later, sixty four cases is what the judicial is like without due process.

I inherited a unique understanding of the law from our family and I'm not going to pretend I did not. I am a person. I have Ken and Kurt and we are not going to be homeless. We have rights. We have a stake in every case. I'm saying this first because what I'm about to say is not based on our advocacy as a petitioners. The Statistical Analysis of 143 Documented Acts of Constitutional and Statutory

Violation is factual new matter based on mathematical pattern recognition. Kurt and I have processed the documents, docket entries, rules, statutes, laws, facts, sequence and I'll tell you what I see, plainly.

I see an *in forma pauperis* rule that says "*shall.*" I see an income of $13,994.00, below the threshold. I see multiple inconsistent *in forma pauperis* denials in both state and federal courts in two different states. There is no interpretation of the rule of law that makes those denials correct.

I see two named doctors, with dates, documenting a first-to-second-grade reading level. I see a judicial declaration that says the opposite. I see no medical evidence supporting the declarations of the state's judgements. I see no explanation for the contradiction. The state's declaration is not supported by anything in the record.

I see a death certificate for my mother on the docket, then I receive six emails sent to the deceased. I see a certified letter was sent to the deceased, but no letter was ever received. I see a hearing scheduled on my mother's birthday out of spite by a state employee. I see no explanation for any of it. Not a clerical error memo. Not a correction. Nothing.

I saw the deed with white-out on it when I was a kid. It was in my sister's office. I see an original contract with a raised seal, four notarized signatures, and proper initials where the date changes were made. I see a rule of evidence that says the original controls when authenticity is in question. I see the state accept the photocopied documents and reject the original documents. I see no explanation for why.

I see a 7th Amendment right to a jury in possession actions, established in 1974. I see an equity court with no jury. I see six years of that. I see no explanation for how or why a legal claim for land ownership can be adjudicated through an equity court where a trial by jury is not permitted.

I see a statute that defines "malicious." I see my elderly father asking for due process for six years. I see the "malicious" label applied with no justification. I see no factual basis in the record that meets the statutory definition.

I see 143 acts. 8 courts. 35 officers. 2 states. 6 years. And I'll tell you what I see when I look at all of them together: they are not 144 independent errors. They are the same structural inversion, repeated. The custodian is acting as the source. The community is removed from the process. The law is being treated as a property rather than a trust. And the person on the other side of the desk is being told that

the structure is working correctly, and that his complaint about it is itself the violation.

I don't know what's happening in the private minds of the 35 judicial officers. I don't know if any of them intended any of it. I don't know if the justice retired because of this family or because of a 12-year term. I'm not going to speculate about that.

But I'll tell you what the record shows. The record shows that the rules were not followed. Not once. Not in one instance. In every instance, across every court, for six years. And the record shows that the person asking for the rules to be followed was labeled malicious for asking.

I'm not a judge. I can't rule on this. I can't grant relief. I can't order a continuance or approve an IFP or vacate a hearing.

But I can tell you this: if I were a judge, and I read that record, and I still ruled the same way, I would not be applying the law. I would be applying something else. And I wouldn't know what to call it.

That's all I have. I'm a person. I don't have a lawyer. I am the legal representative of my mother who died in December of 2024. I have a sister who used white-out on a deed. I have a piece of wood with tally marks on it sitting in a court file that my father used to keep track of the work that he performed for my sister.

The Court has the record, and the record is clear.

That's what I am saying for the past six years. Not as a lawyer. Not as an advocate. As a pattern-recognition, where a basic mathematical analysis of the specific court docket data technically has no stake in the outcome and nothing to lose by reporting the results.

The results are, the rules were not followed. Ken the person asking for them to be followed is being punished for asking.

I am Kristina Karen Talley, 11th generation, daughter of Kenneth R. Talley. I am filing this statement on behalf of my father and on behalf of this family. I am not a lawyer. I am not asking the court to be my lawyer. I am asking the court to be the court.

My father is 90 years old. He was born on November 14, 1936. He is a retired farmer. He attended school through the sixth grade. His mother died when he was 11, after her death he stayed home to do her work on the farm. All of my siblings are aware of the fact that our father never returned to school after the 6th grade.

His reading and writing ability is at a first-to-second-grade level. This is documented by two independent evaluations: Dr. Robert Mapou, Ph.D., neuropsychological evaluation, November 1, 2024, and Dr. Laura Cooney-Koss, Psy.D., forensic psychological evaluation, January 7, 2025.

In 2024, the state declared that my father could read and write just fine. The declarations made by Officer David's oral statements on the record 4-24-24 directly contradict the two named medical neurological and forensic professionals, with dates, in the file.

My father's income is $13,000 per year. Operating procedures state that when an *in forma pauperis* applicant has income at or below 125% of the federal poverty level, the application "shall be approved." The 2024 federal poverty level for a single person was $15,060. One hundred twenty-five percent of that is $18,825. My father's income is below the threshold. The IFP application was denied 3 or 4 times.

We have been continuously evicted, ejected, and arrested four times in six years, across two states. The action for recovery of possession of real property is a legal claim. Under Pernell v. Southall Realty, 416 U.S. 363 (1974), every action for the recovery of possession of property carries with it the right to a jury trial. The state has an equity court where the trial was held. There is no jury. This has been the case, no jury trial for six years. The right to keep your land and property is a legal right. It is tried at law and it carries a jury. The Delaware Court of Chancery does not allow for a jury, thus the land cannot be fully adjudicated by the Delaware Court of Chancery.

My mother, Janice Talley, died in December of 2024. Her death certificate was submitted and is on the docket. In October of 2026, the state sent six emails to my mother. It sent a certified letter to my mother. It scheduled a hearing for November 16, 2026, which is my mother's birthday. My father does not use email.

In 1989, my sister Judith Talley Horn used white-out to remove the names of Kenneth and Janice Talley from a deed. She made a photocopy at work. She presented the photocopy in Court. A copy of the deed that includes my parent's names is on the docket. The original contract exists. It is notarized with a raised seal. It bears both signatures of Judith and Darren Horn. The initials of both parties are next to the final payment date. The state accepted the altered photocopy and rejected the original.

The original mortgage was $36,000. My sister owed my parents $29,789 at the time of the purchase. The price charged to my parents was $47,250. My parents applied

the $29,789 and paid off the $47,250 on February 19, 1993. After the payoff, my parents continued to pay my sister cash and my dad worked for Judy and Darren. $330,586. My father kept track of his hours using tally marks on a piece of wood. My mother helped him as a record keeper. Their sworn affidavits are on the docket. The piece of wood with "tally marks" is in the docket. Kurt and I worked for Judy, Kurt received payments, but just like my father, Judy never paid me for all the hours working as a bartender in her restaurant.

Our family has been in Delaware since 1686. Four centuries. The 1899 book by George A. Talley, A History of the Talley Family on the Delaware, documents the family's presence from the earliest colonial period. Our family built the roads. Our family built the churches. Our family built the schools. Our family served in every war. A newspaper in the 1890s described the family as "one of the most respectable, and decidedly one of the most numerous families in Delaware," noting that "they can be found everywhere, except in the jail and the poor house."

I am asking this Court to give my father the house and a trial because he never should have been removed without a trial in the first place. I am asking this Court to give my father due process. The process as well as the rules already say he is entitled to receive his rights. A court that grants due process and then rules on the merits has done its job. A court that denies due process and calls him malicious for asking for his constitutional rights has not followed the rule of law.

The statute defines "malicious" as a claim designed to vex, injure, or harass. Asking for due process is not that. Seeking a constitutional right is not an action that can be frivolous. A litigant who petitions for due process and loses on the merits has not engaged in malicious litigation conduct. They have lost. Those are different things, and we have the right to have our constitutional rights restored.

I have been trying to communicate this information for 1638 days. I will keep saying it. I will stop when my father is resting safe at home. Not before.

Respectfully submitted,

Kristina Karen Talley
11th Generation
On behalf of Kenneth R. Talley, Petitioner

Appendix C
Statement Of Petitioner Kristina Karen Talley

DECLARATION

I, Kristina Karen Talley, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in the related-captioned matter No. 26-5647. I have personal knowledge of the facts stated in this Supplemental Brief. The facts set forth herein are true and correct to the best of my knowledge, information, and belief. The Supreme Court has the authority to: (1) grant certiorari and review the Chancery judgment under 28 U.S.C. § 1257 and the District Court's refusal to recuse under 28 U.S.C. § 1254(1); (2) declare the Chancery judgment void *ab initio* under the Fourteenth Amendment where the court's own mandatory rule, Del. Ct. Ch. R. 17(b)(3), required the appointment of a guardian ad litem; (3) issue a writ of mandamus under 28 U.S.C. § 1651 to compel the recusal of Judge Noreika or to compel the Chancery to appoint a guardian ad litem; (4) issue a stay under Rule 10 to prevent the execution of the void judgment or the cancellation of the lis pendens while the petition is pending; (5) vacate and remand under 28 U.S.C. § 2103 with instructions to appoint a guardian ad litem, provide ADA accommodations under 42 U.S.C. § 12131, and re-try the case before a different judge; and (6) refer evidence of criminal conduct to the U.S. Attorney under 18 U.S.C. §§ 242 and 1519. The Court's authority is plenary over the questions presented. The state court's judgment is not beyond the Court's review. The federal court's refusal to recuse is not beyond the Court's mandamus power. This declaration is submitted in lieu of a notarized affidavit.

By Kristina Karen Talley

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